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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR11-301-RAJ
10 v.)
11 JOSHUAH ALLEN WITT,) DETENTION ORDER
12 Defendant.)
13 _____)

14 Offense charged: Conspiracy to Intentionally Access a Protected Computer without
15 Authorization with Intent to Defraud; Intentionally Causing and Attempting to Cause Damage
16 to a Protected Computer and Thereby Causing Loss in Excess of \$5,000; Accessing a Protected
17 Computer without Authorization to Further Fraud; Access Device Fraud; Aggravated Identity
18 Theft

19 Date of Detention Hearing: January 11, 2012.

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
22 that no condition or combination of conditions which defendant can meet will reasonably

01 assure the appearance of defendant as required and the safety of other persons and the
02 community.

03 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

04 1. Defendant is before this Court pursuant to a Writ of Habeas Corpus ad
05 Prosequendum. He would be returned to state custody if not detained by this Court.

06 2. Defendant was not interviewed by Pretrial Services. His background
07 information is either unknown or unverified. His criminal record includes failures to appear
08 for court. There is an active extraditable warrant from Eastern Washington. He is pending
09 sentencing in King County Superior Court for burglary.

10 3. Defendant poses a risk of nonappearance due to lack of verification of
11 background information, an active warrant, a history of failing to appear and a prior Escape
12 conviction. He poses a risk of danger based on the nature and circumstances of the instance
13 offense, prior criminal history, and a history of failing to comply.

14 4. There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant's appearance at future Court hearings while addressing the
16 danger to other persons or the community.

17 It is therefore ORDERED:

18 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
19 General for confinement in a correction facility separate, to the extent practicable, from
20 persons awaiting or serving sentences or being held in custody pending appeal;

21 2. Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

01 3. On order of the United States or on request of an attorney for the Government, the
02 person in charge of the corrections facility in which defendant is confined shall deliver
03 the defendant to a United States Marshal for the purpose of an appearance in connection
04 with a court proceeding; and

05 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
06 for the defendant, to the United States Marshal, and to the United State Pretrial Services
07 Officer.

08 DATED this 11th day of January, 2012.

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11 Mary Alice Theiler
12 United States Magistrate Judge
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